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MAILED

JUN 22 2004

**DIRECTOR'S OFFICE
TECHNOLOGY CENTER 3600**

In re Application of
B.J. Hawkins
Application No. 09/776,174
Filed: February 2, 2001
For: REQUISITION PROCESS AND SYSTEM

**DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT**

This is in reply to applicant's letter filed February 25, 2004 in the United States Patent and Trademark Office, which is being treated as a petition to withdraw the holding of abandonment under 37 CFR 1.181.

The petition is **DISMISSED**.

A review of the file record reveals that a Notice of Abandonment was mailed February 9, 2004 because of applicant's failure to reply to the non-final Office action mailed June 23, 2003.

Petitioner has provided a copy of a response to the non-final Office action that was filed on September 23, 2003 by mail with a Certificate of Mailing dated September 23, 2003. A copy of a postcard receipt has also been provided indicating receipt of the response by the Office on September 29, 2003. Applicant must rely on the Certificate of Mailing date to show that the response was timely filed on September 23, 2003.

Any petition to withdraw the holding of abandonment based upon a Certificate of Mailing must provide the following:

- (1) A copy of the original response bearing a signed Certificate of Mailing which includes the date of signing; and
- (2) A statement under 37 CFR 1.8(b)(3) attesting to the personal knowledge of mailing the original response on the date indicated on the Certificate of Mailing (see 37 CFR 1.8 and MPEP 512).

While meeting requirement (1) above, the petition fails under requirement (2) to provide a proper statement under 37 CFR 1.8(b)(3) attesting to personal knowledge of mailing the original response on the date indicated on the certificate, by the person who signed the certificate.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(b) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition to Withdraw the Holding of Abandonment Under 37 CFR 1.81."



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SNM/mjz: 5/17/04